

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**NOT FOR PUBLICATION**

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**BANXCORP,**

**Plaintiff,**

**v.**

**BANKRATE INC.,**

**Defendant.**

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**Civil Action No. 07-3398 (ES) (CLW)**

**OPINION**

**SALAS, DISTRICT JUDGE**

For the reasons set forth in the Opinion filed herewith,

IT IS on this 30th Day of December 2011

ORDERED that Bankrate Inc.'s Motion to Dismiss BanxCorp's Fourth Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) (D.E. 210) is GRANTED in part and DENIED in part pursuant to the accompanying Opinion; and it is further

ORDERED that the clerk of Court shall terminate Docket Entry No. 210.

*s/Esther Salas*  
**Esther Salas, U.S.D.J.**